IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

WP(C).No. 34037 of 2006(B)

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PETITIONERS:

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1. K.K.KURUVILA,
   S/O. LATE MATHEW KURUVILA
   KOMBANKERIL HOUSE
   KIZHAKKUM MURI,
   NIRANAM VILLAGE,
   THIRUVALLA.

2.RACHEL KURUVILA, W/O. KURUVILA,
   KOMBANKERIL HOUSE,
   KIZHAKKUM MURI,
   NIRANAM VILLAGE,
   THIRUVALLA.

BY ADV. SRI.K.JAYAKUMAR
SRI.R.SURAJ KUMAR

RESPONDENTS:

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1. STATE OF KERALA,
   REPRSENTED BY ITS CHIEF SECRETARY TO
   GOVERNMENT OF KERALA,
   GOVERNMENT SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, PATHANAMTHITTA.

3. THE REVENUE DIVISIONAL OFFICER,
   THIRUVALLA TALUK,
   PTHANAMTHITTA DISTRICT.

4. THE SECRETARY,
   NIRANAM GRAMA PANCHAYATH,
   PATHANAMTHITTA DISTRICT.

5. RAJAN PATHROS ALIAS JACOB
S/O. PATHROS, RESIDING AT PUTHUVAL AMBEDKAR GRAMAM
NADUVATHUM MURI,
THIRUVALLA TALUK, NIRANAM VILLAGE,
PATHANAMTHITTA DISTRICT.

6.KUTTY DANI, S/0.KUTTY,
PUTHUVAL AMBEDKAR COLONY,
NIRANMA P.O. THIRUVALLA TALUK.

7. K.K.DAMODAARAN,
AMBEDKAR GRAMAM, PUTHUVAL
NADUVATHUM MURI
NIRANAM VILLAGE, PATHANAMTHITTA DISTRICT.

8.VIJAYAN DEVKUMAR, S/O. DEVASYA
MANANKERIL HOUSE,KIZHAKKUMBHAGAM P.O.
NIRANAM P.O. THIRUVALLA TALUK
PATHANAMTHITTA.

9. M.J.ACHANKUNJU, D/O. DEVASYA
MANANKERIL HOUSE, KIZHAKKUMBHAGAM P.O.
NIRANAM P.O. THIRUVALLA TALUK
PATHANAMTHITTA.

10.THE SUB INSPECTOR OF POLICE
PULIKKEEZH

11.THE DISTRICT SUPERINTENDENT OF POLICE
PATHANAMTHITA.

BY G.P. SRI.MATHEW G.VADAKKAL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**PIUS C.KURIAKOSE, J.**

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**W.P.(C)NO. 34037 of 2006**

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**Dated this 20th day of December, 2006**

**JUDGMENT**

The grievance of the petitioner is that even though the 4th respondent – Secretary of the Panchayat and the 3rd respondent – Revenue Divisional Officer were alerted by the successive representations, they have not taken any action so far for removing the allegedly illegal constructions put up by respondents 5 to 7 with the assistance of respondents 8 and 9.

2. I do not propose to examine the genuineness of the above grievance. Since Ext.P7 is seen pending before the 4th respondent it is only appropriate that the 4th respondent takes an early decision on Ext.P7. Accordingly, this writ petition will stand disposed of with the following directions:-

The 4th respondent will immediately take up Ext.P7, issue notice to respondents 5 to 8, hear all of them and the first petitioner and take an early decision on Ext.P7 in accordance with law. Decision as directed above will be taken by the 4th respondent at the earliest and at any rate within one month of

the party respondents entering appearance in response to the notice.

**PIUS C.KURIAKOSE**
**Judge**

dpk